

## REMARKS

The rejection of claims 21 and 22 under 35 USC 102(e) as being anticipated by Nagata (JP 2000-348358) is respectfully traversed.

Claims 21 and 22 have been amended to recite the lens holder as a movable lens holder and to include the limitation of an adhesive agent which is provided between the weight part and the movable lens holder so as to bond the weight part to the lens holder in such manner that the adhesive agent and the weight part vibrate together to minimize vibration of the lens holder. This language is identical to that set forth in claim 1. Accordingly, the distinction between claim 1 and claim 21 is limited only to the requirement in claim 21 for the weight part to be of a metal material and in claim 22 for the weight part to be of a resin material.

The cited reference Nagata failed to disclose or suggest use of an adhesive agent as taught in independent claims 21 and 22 to minimize vibration of the lens holder. Accordingly, claims 21 and 22 are clearly allowable over Nagata under 35 USC 102(e).

The rejection of claims 1-7 and 12-18 under 35 USC 103(a) as being unpatentable over Ujiie et al in view of JP 2-135918, is respectfully traversed.

In view of the amendments to claims 21 and 22, the following remarks also apply to a rejection of claims 21 and 22 under 35 USC 103, based upon the same references as used in the rejection of claims 1-7 and 12-18, respectively.

The Examiner admits on page 3, next to last paragraph, that "Ujiie et al does not expressly show an adhesive agent between the weight and lens holder so that

the adhesive agent and weight part vibrate together to minimize vibration of the lens holder". With regard to this feature, the Examiner has referred to JP 2-135918 as disclosing an adhesive agent between the weight (4) and the lens holder (2) so that the adhesive agent and weight part vibrate together to minimize vibration of the lens holder.

Applicant believes the Examiner has misinterpreted the teaching of JP 2-135918 which clearly does not teach placement of an adhesive agent between the weight (4) and lens holder (2) and does not teach use of the adhesive agent to control the vibration of the weight part by causing the adhesive agent and weight part to vibrate together to minimize vibration of the lens holder as taught and claimed in the subject application.

With regard to the function of the adhesive agent 50 in the subject application, the specification in the last paragraph on page 9 teaches the use of the adhesive agent 50 to generate viscoelasticity which causes the weight 48 to serve as a dynamic vibration absorber to damp vibration of the movable part 48 to minimize vibration of the weight part. This is achieved in accordance with the present invention as set forth in the specification on page 9, lines 16-17 by fitting the weight 48 inside the concave part 14(d) **after applying the adhesive agent 50 thereon**".

In contradistinction the balancer 4 in JP 2-135918 is press-fitted into the recess 2a of the objective lens holding member 2 and only thereafter **is an adhesive agent poured through the through-hole 2b for closing and sealing off the through-hole 2b. In this fashion the balancer 4 is permanently fixed family to the objective lens holding member 2 but there is no teaching of an adhesive agent between the**

**weight part and lens holder to generate viscoelasticity and to cause the weight part and adhesive agent to vibrate together to minimize vibration of the lens holder.**

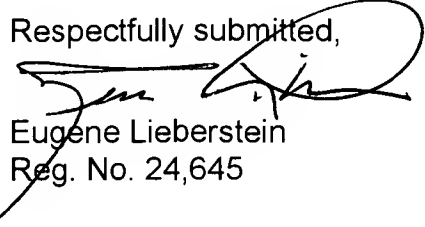
In accordance with the subject invention, when the weight 48 vibrates because of vibration of the lens holder 14, the vibration of the weight 48 is absorbed by the viscoelasticity of the adhesive agent 50, thereby damping the vibration of the lens holder 14. Specifically, the specification on page 9, line 31 to page 10, line 6, discloses that “by bonding the weight 48 to the concave part 14d formed in the tip 14c of the lens holder 14, the adhesive agent 50 generates viscoelasticity so that the weight 48 serves as a dynamic vibration absorber that damps vibration with respect to the vibration mode of the movable part 46. The dynamic vibration absorber has a mass  $m$  of the weight 48, a spring constant  $k$  of the adhesive agent 50, and a viscosity damping coefficient  $c$  of the adhesive agent 50.” The specification further states that “the weight 48 is allowed to have the function of a dynamic vibration absorber to damp the vibration of the movable part 46 by being bonded to the tip 14c of the lens holder 14”.

Accordingly, even if JP 2-135918 is combined with Ujiie, it will not function as required in claims 1-7 and 12-18 as well as in claims 21-22 since JP 2-135918 fails to disclose providing the adhesive agent between the weight part and the movable lens holder so that the adhesive agent and weight part will vibrate together to minimize vibration of the lens holder as taught and claimed in the subject invention.

For all of the above reasons, claims 1-7 and 12-18 are clearly patentable over Ujje et al taken alone or in combination with JP 2-135918.

Reconsideration and allowance of claims 1-7, 12-18 and 21-22 is respectfully solicited.

Respectfully submitted,

  
Eugene Lieberstein  
Reg. No. 24,645

ANDERSON, KILL & OLICK  
1251 Avenue of the Americas  
New York, New York 10020-1182

#### MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 3, 2005.

Signed: 

Dated:

November 3,

2005